

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THEREN FRAZIER,

Defendant.

Case No.: 2:15-cr-00044-GMN-GWF

ORDER

On September 27, 2019, the Chief Judge for the District of Nevada issued General Order 2019-06, which directed the Federal Public Defender (“FPD”) to determine an individual’s eligibility for relief under 28 U.S.C. § 2255 or 28 U.S.C. § 2241 in light of *Rehaif v. United States*, 139 S. Ct. 2191 (2019), and *United States v. Davis*, 139 S. Ct. 2319 (2019). General Order 2019-06 also directed the FPD to consider prohibitive conflicts of interest in representing an individual on such motions.

On June 5, 2020, Assistant Federal Public Defender Wendi L. Overmyer filed an Ex-Parte Motion to Withdraw, (ECF No. 141), indicating there is a prohibitive conflict that precludes the FPD from ethically determining Defendant Theren Frazier’s eligibility to seek relief. The FPD therefore asks the Court “for appointment of new counsel pursuant to the Criminal Justice Act of 1964, Title 18 United States Code, Section 3006A.” (Ex-Parte Motion to Withdraw 1:20–21, ECF No. 141).

Accordingly,

IT IS HEREBY ORDERED that this case be referred to the CJA Appointment Clerk at the Federal Public Defender’s Office for the appointment of CJA counsel.

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